

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

MASSACHUSETTS DEVELOPMENT)	
FINANCE AGENCY)	
Plaintiff)	
)	
v.)	
)	
ADP MARSHALL, INC., a FLUOR)	
DANIEL COMPANY, and FIREMAN'S)	
FUND INSURANCE COMPANY)	
<u>Defendants</u>)	
)	
ADP MARSHALL, INC.)	
Plaintiff in Counterclaim)	
)	
v.)	
)	
MASSACHUSETTS DEVELOPMENT)	
FINANCE AGENCY)	
Defendant in Counterclaim)	
)	
)	
ADP Marshall, Inc.)	
Third Party Plaintiff)	
)	
v.)	
)	
ALLIED CONSULTING ENGINEERING)	
SERVICES, INC. ANDOVER)	
CONTROLS)	
CORPORATION, R & R WINDOW)	
CONTRACTORS, INC., AND DELTA)	
KEYSPAN, INC. N/K/A DELTA)	
KEYSPAN, LLC, et al.)	
<u>Third Party Defendants.</u>)	

C.A. No.: CV 10203 PBS

**ASSENTED TO MOTION
TO ENLARGE TIME FOR FILING RESPONSE TO DEFENDANTS', ADP
MARSHALL, INC., AND FIREMAN'S FUND INSURANCE COMPANY,
MOTION FOR SUMMARY JUDGMENT**

Now comes the Plaintiff, Massachusetts Development Finance Agency (hereinafter "MDFA") and hereby moves this Honorable Court to Enlarge the Time for Filing a Response to Defendants', ADP Marshall, Inc. and Fireman's Fund Insurance Company (collectively "ADP"), Motion for Summary Judgment.

On November 30, 2004, ADP filed its Motion for Summary Judgment and MDFA now moves for an enlargement of time to file its response. The time for filing a response to ADP's motion is January 7, 2005, as set forth in this Honorable Court's Second Scheduling Order issued October 13, 2004. MDFA hereby requests an extension of time until Friday, January 14, 2005. In support of this motion, MDFA states the following:

1. The time for service of its response, January 7, 2005, to ADP's motion has not yet expired;
2. This is the first request for an extension of time submitted by MDFA;
3. This motion contains complex issues, requiring more time than present counsel has remaining within which to formulate a response;
4. Counsel for MDFA has conferred with counsel for ADP and has received his assent to this one-week extension; and,
5. No party will be prejudiced by the allowance of this motion.

WHEREFORE, the Plaintiff, MDFA, moves that this Honorable Court grant this motion to enlarge the time to respond to ADP's Motion for Summary Judgment, to Friday, January 14, 2005.

Respectfully Submitted,
MASSACHUSETTS DEVELOPMENT
FINANCE AGENCY,
By its attorneys

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ASSENTED TO:
ADP MARSHALL, INC.,
By its attorneys,

//s// Andrew J. Tine,
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DATED: January 4, 2005